UNITED NATIONS

CEDAW

Convention on the Elimination of all Forms of Discrimination Against Women

Distr.
GENERAL

CEDAW/C/SR.190
24 January 1992

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eleventh session

SUMMARY RECORD OF THE 190th MEETING

Held at Headquarters, New York,
on Monday, 20 January 1992, at 3 p.m.

Chairperson: Ms. TALLAWY

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Initial report of Barbados (CEDAW/C/5/Add.64)

1. At the invitation of the Chairperson, Ms. Alleyne and Mr. Maycock (Barbados) took places at the Committee table.

2. Ms. ALLEYNE (Barbados) said that the initial report of Barbados examined articles 1 to 16 of the Convention as they pertained to Barbados, and provided information about important political, legal and administrative measures that had been taken to deal with the entire question of discrimination against women. The report demonstrated that Barbadian women had equal rights in most pertinent areas under the law.

3. In 1976, Barbados had established a National Commission on the Status of Women. The Commission had subsequently submitted a report with 212 recommendations aimed at eliminating all forms of discrimination against women. The Commission's report was and continued to be the primary plan of action of Barbados. The report before the Committee (CEDAW/C/5/Add.64) noted the progress that had been achieved in implementing the Commission's recommendations.

4. Within the reporting period covered by the initial report, 190 of the National Commission's 212 recommendations had been implemented, including 40 of the 46 recommended legislative changes. The changes in legislation dealt essentially with family law provisions, property rights, employment protection, reproductive rights, privileges and safeguards (both occupational and environmental) and citizenship and domicile rights. The report briefly outlined the areas in which the amended legislation benefitted women under the respective articles of the Convention.

5. Following the Barbadian Parliament's acceptance of the National Commission's report in September 1978, the Bureau of Women's Affairs had held a national-level conference with governmental and non-governmental organizations and private-sector agencies and organizations to discuss the Commission's recommendations and facilitate their implementation. Commissioners had assisted the Bureau and its Ministry in the exercise. That approach had enabled the Bureau, with its small staff, to monitor the implementation of the recommendations by the respective agencies. The use of the resource agencies in consciousness-raising programmes, project preparation and reporting had helped to reduce some areas of resistance to the recommended changes.

(Ms. Alleyne, Barbados)

6. The non-militant approach to the elimination of discrimination against women had been the hallmark of progress in Barbados. However, on a few occasions, women's organizations had held public demonstrations, especially on the issue of violence against women.

7. Women made up 52.2 per cent of the population of Barbados and participated, to varying degrees, in all areas of social and economic development. They were especially involved in agriculture and fisheries, tourism, manufacturing, the handicraft and light industries, and commerce and the service sectors. Forty-three per cent of all Barbadian households were headed by women, and women accounted for 47.19 per cent of the country's labour force.

8. Since the attainment of adult suffrage in 1950, Barbadian women had always accounted for the majority of voters. While Barbadian women had been in Parliament since 1953, their numbers had never been significant. For decades, women had performed supporting political roles and continued to do so. However, over the past 18 to 20 years, more women had come forward for or accepted, political office. There had been only one elected female representative in the House of Assembly during any term of office; other women serving on the opposition and in the Senate had been appointed.

9. As a result of entrenched values, attitudes and behaviour, the full development and advancement of women within the context of the principle of equality was a challenging and difficult task. In the implementation of the National Plan of Action, it was therefore necessary to recognize and incorporate the social and cultural realities with which Barbadian women had to contend. Like other women throughout the world, many Barbadian women suffered from social ambivalence: while many Barbadian women openly welcomed the changes and removal of the social barriers to their development, others were apprehensive about the consequences for family and working relationships. However, women's fears and inhibitions were disappearing, and men had begun to feel less threatened by the rapid social changes and strides that Barbadian women had been making over the past decade and a half.

10. The process of integration and elimination of discrimination was also facilitated by the active involvement of 44 women's organizations in Barbados, which related directly to the Bureau of Women's Affairs or through the Umbrella National Organisation of Women.

11. The Bureau of Women's Affairs received a small portion of Government funds to implement its programme. During the reporting period, it had received approximately $125,000 to $130,000. It had received additional funds from international and regional agencies.

12. The political position of women had been determined by the internal structures and their status within the partisan political organizations. The

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existence of women's branches or arms of the major political parties only marginally supported the nomination of women for political office. In the light of that situation, the ruling party had pledged that women would be given greater opportunities to participate in the decision-making processes of government at all levels, and there was evidence of a small degree of progress in the attainment of that goal. However, greater efforts were needed, and the Bureau of Women's Affairs was facilitating the process through leadership-training seminars on political participation and consciousness-raising.

13. In its initial report, Barbados considered those aspects of the articles of the Convention to which it had adhered and also indicated areas in which discrimination had not yet been overcome. With respect to article 5, since the end of the reporting period, Barbados had taken additional steps to eliminate violence against women. There had been media discussions on child and sex abuse and rape, and video presentations on rape for judicial and decision-making personnel and agencies. The Parliamentary Select Committee was currently considering draft legislation on domestic violence and sexual offences, and Barbados had contributed to the Caribbean Community (CARICOM) Regional Legal Models on six areas of the law, including domestic violence, sexual offences and sexual harassment. The Bureau of Women's Affairs, in cooperation with the Caribbean Broadcasting Corporation, had recently begun radio call-in programmes on violence.

14. With respect to article 6, she noted that, in the light of the human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) epidemic, there were currently greater restrictions on prostitution. With respect to article 7, she was pleased to announce that, in 1991, six women had been appointed to the Senate and one had been elected to the House of Assembly.

15. Referring to article 10, she noted that contraceptives were readily available throughout Barbados in both rural and urban areas. The Barbados Family Planning Association encouraged men to protect women from unwanted pregnancies and advocated male sterilization for couples that did not plan or want to have more children.

16. With reference to article 11 of the Convention, she indicated that women accounted for approximately one third, or 28.57 per cent, of administrative and managerial workers in Barbados. In the Public Service, there were 10 Heads of Department who were women, a figure which represented approximately 0.145 per cent of the total public-sector workforce for that position.

17. Referring to article 13, she said that the Government Development Bank provided loans for micro-business ventures undertaken by women and men. In 1990, the Inter-American Development Bank had provided a grant and loan to the National Development Foundation for small business development on the condition that 50 per cent of the beneficiaries would be women. A greater number of commercial banks were accepting women as good credit risks,

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especially in business. The Caribbean Development Bank, among others, had provided funds to the women in development (WID) programme for onward lending and training women in business. Lastly, since 1978 the National Organization of Women had been conducting business acumen training courses for women in business.

18. With respect to article 14, she said that the National Skills Training Programmes were decentralized and had centres in both rural and urban areas. The relevant agency's programme rationalized and coordinated vocational training needs for industry, manufacturing and commerce. Private non-governmental organizations and agencies also offered vocational and technical training.

19. While Barbados had made significant progress during the current reporting period, many areas required ongoing action and support. In order to carry out its role more efficiently, the Bureau of Women's Affairs had to be strengthened, and some areas of legislation, especially with respect to domestic and civic violence against women, needed to be further addressed. Women's participation in the political and civil decision-making processes at the highest levels needed to be improved, and women had to be given more encouragement, preparation and support in the productive economic sectors, especially in self-employment, entrepreneurship and industrial development. It was also necessary to strengthen the data resource bases in order to support the monitoring and reporting process. The Constitution of Barbados must be amended to ensure non-discrimination against Barbadian women and their offspring and foreign spouses.

20. The third periodic report of Barbados, which had already been submitted, contained information about further progress in the national effort to eliminate discrimination against women and facilitate their fuller integration into development.

21. Ms. BERNARD said that the report submitted by Barbados reflected the concern of the Barbadian Government to improve the status of women. Barbados had always been in the vanguard of promoting women's rights in the Caribbean and had been one of the first countries to establish legal machinery for dealing with women's problems. Several areas still remained to be addressed, but she was sure that they could be dealt with if the necessary will and commitment were shown.

22. Ms. LAIOU-ANTONIOU said that the report demonstrated the political will and commitment of the Government of Barbados to tackle women's issues. However, she wanted to know how women participated in planning the development of the country, given that they were not involved in political decision-making. What machinery was available for that purpose? She noted that tourism represented a substantial proportion of the country's income and wondered whether women continued to occupy the traditional secondary role in that sector or whether they were also involved at the management level.

23. Ms. AKAMATSU said that the report was both informative and impressive. She expressed appreciation that Barbados had ratified the Convention without reservations at a very early stage. She welcomed the intention to revise the Citizenship Act, which she felt was discriminatory. Lastly, she would be interested to know what relationship existed between the ombudsman system and the Bureau of Women's Affairs.

24. Ms. UKEJE commended Barbados for its report, which was frank and concise and in accordance with the Committee's guidelines. Her main concern was the lack of statistics, but that shortcoming had been remedied in the presentation just made. She hoped to see better statistics in future reports, which should also deal with the action taken to implement the Committee's recommendations.

25. Ms. ALFONSIN welcomed the report submitted by Barbados but expressed concern at the high percentage of women acting as heads of household (43 per cent). She also wondered whether any statistics were available concerning the role of the ombudsman.

26. Ms. WALLA-TCHANGAI, Ms. ILIC and Ms. EVATT expressed their appreciation for the report submitted by Barbados.

27. Ms. OESER said that she particularly welcomed the additional information provided in the annexes to the report. However, she wondered why the time-frame of the report had been limited to the period 1982-1987. She would appreciate more details on the current situation. For example, were the positive trends in the economic and political fields continuing and what were the Government's priorities for the next two years with respect to measures to achieve equality of men and women?

28. Ms. BRAVO NUÑEZ DE RAMSEY said that the report bore witness to the efforts made by the Government of Barbados on behalf of women. However, as elsewhere in the third world, women in Barbados were suffering from a double marginalization: as citizens of a third world country and as women. That was clear from the table in appendix V to the report giving details of membership of boards and commissions by sex. It would also be interesting to know what proportion of women was included in the lists of proposed candidates drawn up by political parties in Barbados.

29. Ms. SHANGZHEN said that the Government of Barbados had worked hard to implement the Convention and was frank in its report about the obstacles and problems facing it. She hoped that the second periodic report would show evidence of still further success.

30. The CHAIRPERSON invited the Committee to consider the report with reference to individual articles of the Convention.

Article 2

31. Ms. CORTI, referring to the legal aid scheme mentioned in paragraph 33 of the report, said that she would like to know whether such aid covered legal costs in full and whether all women were entitled to receive it.

32. Ms. LAIOU-ANTONIOU said that she would welcome clarification of the derogations permitted by the Constitution of Barbados from its non-discrimination provisions. Given that the Convention was not automatically part of the laws of Barbados, as pointed out in paragraph 23 of the report, she would like to know what procedures were necessary to enable women in Barbados to invoke the provisions of the Convention.

33. Ms. ILIC asked whether women could apply to the courts for redress under the Convention. She also wished to know what practice was followed for securing the support of the ombudsman, whether it had been publicized and what its impact had been.

Article 4

34. Ms. CORTI requested details of the budget of the National Commission on the Status of Women. She would also like to know the outcome of the various inquiries by the Commission mentioned in the report, particularly the one concerning the role of women in one-parent families. Moreover, did the Commission have the right to propose laws to Parliament?

35. Ms. SCHOPP-SCHILLING said that she would like to know whether there had been any discussion in the National Commission concerning the possibility of taking affirmative action in certain areas in connection with article 4. What approach was the Government taking to article 4 and did it have any plans to introduce preferential treatment for women or quotas in political parties?

Article 5

36. Ms. BUSTELO GARCIA del REAL asked whether the measures to combat violence against women (para. 41 of the report) concerned domestic and other forms of violence as well as rape. She also asked what other services were available to help the victims of violence and whether statistics were being gathered to gauge the effectiveness of the measures taken.

37. Ms. EVATT asked whether surveys had been carried out to assess the effects of the programmes undertaken to modify social and cultural patterns of conduct. She wondered why changes in attitude and gains in equality had not been achieved more rapidly, given the preponderance of women in Barbados in certain age groups. Perhaps more extensive efforts were needed to provide women with information.

38. Ms. OESER wished to know whether domestic violence constituted a criminal offence and what legislation there was on the subject.

39. Ms. BRAVO NUÑEZ DE RAMSEY asked whether government assistance was available for womens' organizations in Barbados, since in the third world such organizations frequently played an important role in solving problems.

Article 6

40. Ms. UKEJE noted that many households were headed by unemployed women. Was there a link between unemployment, family responsibility and prostitution, especially among women aged 15 to 24? Were any specific programmes available to provide such women with an alternative livelihood?

41. Ms. CORTI, noting that prostitution was illegal in Barbados and that prostitutes were liable to a penalty on conviction before a magistrate, asked whether such penalties were defined by law.

42. Ms. BUSTELO GARCIA del REAL said that she wished to underscore the previous speaker's comments. Paragraph 46, referring to the Vagrancy Act, did not indicate whether all forms of prostitution were prohibited by law. Nor was it clear whether the existing legislation had eliminated prostitution, so that article 6 of the Convention could be said to have been fully implemented. Furthermore, the report did not indicate whether it was the prostitute, the client or the procurer who was liable to prosecution. Statistics on the prevalence of prostitution would be appreciated.

43. Ms. ILIC said that she shared the previous speaker's concerns. The report mentioned two laws under which prostitutes could be prosecuted, but did not indicate how the other parties to the offence were dealt with; apparently, only women were punishable. She would appreciate information on the prevalence of prostitution, efforts to rehabilitate prostitutes, and whether AIDS was being spread mainly through prostitution or through drug abuse.

44. Ms. EVATT asked whether prostitutes were protected from rape and assault by specific or by general legislation. She also requested further information concerning the new restrictions on prostitution in the light of the AIDS epidemic.

45. Ms. QUINTOS-DELES asked whether the promotion of tourism had led to any increase in prostitution, as in other countries, and if not, what factors had prevented it.

Article 7

46. Ms. CORTI noted the low level of participation by women in politics; despite the Government's strong commitment to women's rights, very few women were elected to public office. She wondered whether candidates were indeed elected to the House of Assembly, but appointed to the Senate as indicated in the report, or whether an error might be involved. According to table 4, the number of women voters had decreased by almost half from 1971 to 1976, while rising slightly in recent years; she would appreciate an explanation of those fluctuations.

47. Ms. ILIC said that she, too, had questions about women's political participation. Although 54.3 per cent of the electorate had been female in 1976, few women came forward for elective office. She wondered why women were not using their electoral strength to press for the enactment of favourable legislation, and whether any organizations were attempting to increase women's political awareness.

48. The CHAIRPERSON asked whether the low level of participation by women in politics was due to psychological factors, such as lack of confidence in their leadership abilities.

49. Ms. ABAKA said that she shared the concerns of the previous speakers. Since there were several women's organizations in Barbados, thought might perhaps be given to implementing programmes to raise women's political awareness.

50. Ms. AOUIJ said that the extent of women's involvement in politics was one of the parameters for evaluating a country's level of development. It would be useful to know what the women's branches of the two major political parties were doing to increase women's political awareness. Perhaps one reason for the small number of women in the legislative bodies was that there was only one elected body, the House of Assembly, while Senators must be appointed. In that case, the Government should be urged to appoint more women.

Article 8

51. Ms. BERNARD asked whether efforts were being made to encourage women to enter the diplomatic service, where they were poorly represented, and to ensure that they were appointed to higher office.

Article 9

52. Ms. NIKOLAEVA said that, while the Government was to be commended on the actions undertaken to protect women's rights and to abolish discrimination, much remained to be done. She wished to know what measures were being planned or implemented to eliminate the remaining barriers to the full realization by women of their civil rights, as referred to in paragraphs 57 to 62.

53. Much had been achieved in the field of literacy and education for women. However, she shared the concerns expressed with regard to women's political involvement. Another area of concern was the status of the family, with 43 per cent of households headed by women. She wondered to what that could be attributed, and whether anything was being done to strengthen the family as the basic unit of society.

54. The CHAIRPERSON, speaking in her personal capacity, said it was clear from the report that there were problems with regard to the implementation of article 9, since a woman who was married to a non-citizen could not transmit

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Barbadian nationality to her children. As in many other countries, that was a matter of social tradition, not law, and women's organizations were working to change the situation.

Article 10

55. Ms. LAIOU-ANTONIOU asked what percentage of the public schools were coeducational and whether plans were being made to improve them.

56. Ms. AKAMATSU expressed satisfaction at the high literacy rate among women, which appeared to be related to their relatively high status in Barbados. Statistics on the enrolment of boys and girls at the secondary and tertiary educational levels would be helpful. Referring to table 5 (i), she wondered why such a large percentage of women had chosen commerce as their field of study.

57. Ms. ALFONSIN DE FASAN, referring to paragraph 60 of the report, asked what would happen to the children of Barbadian women married to non-citizens if their parents could not afford private education. In view of the large percentage of single-parent households, she wondered whether sex education could be included in the school curricula.

58. Ms. EVATT said that, in view of the large number of teenage pregnancies, it might be advisable to offer sex education and family life programmes in the schools.

Article 11

59. Ms. SCHOPP-SCHILLING requested information on the means of support and the economic status of households headed by women, and on whether the Government had developed any employment training programmes for such women.

60. Ms. CORTI asked whether wage parity between men and women was guaranteed by law, what the Legal Aid Scheme was and whether it handled complaints of sex discrimination. Referring to paragraph 81 of the report, she said that more information was needed on the agricultural sector, and the pension scheme applicable to it. With regard to paragraph 82, she wondered whether there was a statutory number of years of contribution to the National Insurance and Social Security Scheme, and what percentage of such contributions was paid by the employer and by the employee, respectively.

61. Ms. AKAMATSU, referring to paragraph 84 of the report, wished to know whether, in case of wrongful dismissal, a woman could be reinstated in her job by a decision of the court, or whether she only received monetary compensation. With regard to paragraph 85, she asked what percentage of salary was paid as maternity benefit. Referring to paragraph 86, she suggested that, as provisions protecting women in the workplace were limited under the Convention to pregnant women, the Barbadian legislation in that area should perhaps be re-examined.

62. Ms. ALFONSIN DE FASAN asked whether any measures had been adopted to assist women who were single parents in finding employment.

63. Ms. GONZALEZ MARTINEZ said that paragraphs 75 to 89 of the report contained broad information on the measures adopted by the Government to protect working women under the terms of the Convention. Referring to paragraph 88, she noted that there were very few countries in which day care centres accommodated parents who had to pick up their children after closing time. With regard to paragraph 89, she said that in most countries, even if nursing mothers were legally guaranteed the right to nurse their infants at the workplace, they usually found it impossible to do so from a practical point of view. The Government was therefore to be commended on its frankness and realism in acknowledging the difficulty of guaranteeing such a right.

64. Ms. LAIOU-ANTONIOU, referring to paragraph 84 of the report, asked whether denying pregnant women employment was also prohibited by law. If not, Barbados could consider adding such a provision.

65. She agreed with Ms. Akamatsu that overprotection of women (e.g. the precautions described in footnote 34 on cleaning machinery) tended to perpetuate stereotypes and were a disincentive to employing women.

66. Ms. BUSTELO GARCIA del REAL, referring to the issue of salary discrimination, asked whether further steps had been taken since 1989 to implement the recommendations of the International Labour Organisation concerning equal remuneration in respect of work of equal value.

Article 12

67. Ms. LAIOU-ANTONIOU requested information concerning abortion laws in Barbados.

68. Ms. BUSTELO GARCIA del REAL wondered whether the absence of legislation aggravated the problem of clandestine abortions.

69. Ms. AKAMATSU said that she shared the concerns expressed by Ms. Laiou-Antoniou and Ms. Bustelo García del Real.

70. Ms. CORTI also wondered about clandestine abortions, particularly in the light of the statistics on adolescent pregnancies. She wished to know whether family planning services provided information on contraceptives and dispensed them free of charge.

71. Ms. WALLA-TCHANGAI requested statistics on mortality in childbirth and information on the causes. Referring to paragraph 97 of the report, she asked whether adolescents who might be inclined to seek clandestine abortions had easy access to family planning services. It would be interesting to know whether "equal access" to health services (para. 98), meant that women could avail themselves of health services without the advice and consent of their husbands.

72. Ms. EVATT requested additional details on the circumstances in which abortions could be performed legally.

Article 13

73. Ms. AKAMATSU inquired about the regulations which gave access to children's allowances to the husband only (para. 101).

Article 14

74. Ms. IKEJE asked whether paragraph 104 implied that articles 10 and 14 of the Convention were not applicable in Barbados. She wondered whether the lack of an urban/rural dichotomy meant that there were only urban poor. She wished to know whether the 18.6 per cent of women who studied agriculture (para. 65, table 5 (ii)) were rural or urban.

Article 16

75. Ms. BERNARD asked whether there was specific legislation empowering the courts to quantify the services of a wife, mother and home-maker. That was of particular interest in the light of the pamphlet entitled "What Are My Property Rights?" (reproduced in appendix II), which indicated that courts took into account the woman's indirect financial contribution towards the purchase of a house.

76. Ms. LAIOU-ANTONIOU, noting the high percentage of unmarried couples, asked about procedures for legitimizing children born out of wedlock. She wondered how the father legally recognized the child - for example, through a notary public - and whether the child took the mother's or the father's surname. It would also be interesting to know which surname married women used. Lastly, she wondered why the report contained a reference to parental authority but not to parental care, and, if the custom had not been completely abolished, whether there were legal provisions concerning dowries.

77. Ms. AKAMATSU, referring to paragraph 115, asked whether it was realistic, in the light of the number of unmarried mothers in Barbados, to restrict the grounds for divorce. She, too, noted that the report contained no information about the attribution of surnames.

78. Ms. AOUIJ noted that the courts had great latitude in interpreting family law and consequently in determining the extent of the equality of men and women. For example, the courts decided what constituted an intolerable marital situation and whether or not 18-year-old children who were still financially dependent on their parents were entitled to a maintenance allowance. She wondered, therefore, whether judges attempted to reconcile spouses who brought divorce suits, and whether there were women judges and lawyers in sufficient numbers to have a bearing on judicial practice. Lastly, noting the considerable number of non-marital unions, she wondered how many men were both legally married and fathers of legitimate children and, at the same time, in extramarital unions which had produced illegitimate children.

79. Ms. BRAVO NUÑEZ DE RAMSEY wondered what was meant in paragraph 115 of the report by a marriage that had "broken down beyond recovery".

80. The CHAIRPERSON expressed appreciation to the representatives of Barbados for a very frank, complete report, which was focused and contained novel ideas for ensuring the well-being of women. The report reflected sincere interest on the part of the Government of Barbados and national non-governmental organizations in the situation of women.

81. The relationship between tourism and prostitution remained a cause for concern, as tourism accounted for a very substantial portion of the gross national product of Barbados. She noted the relationship between prostitution and violence in the home or in public places. The Committee was also concerned about the high percentage of women supporting families and the reasons for it, and would also appreciate additional clarification of the role of the courts in divorce matters in Barbados.

82. Questions also remained concerning the participation of women in political life, particularly in view of the discrepancy between the percentage of women voting and the insignificant percentage of women representatives in Parliament and in other high political offices.

83. Mr. MAYCOCK (Barbados) thanked the Committee for its thoughtful consideration of his country's initial report. Complete answers would be provided on the date scheduled. However, in advance, he would say that cultural, historical and political factors held the answers to some of the questions raised by the Committee. The Barbadian system of government was bicameral, comprising a House of Assembly and a Senate. Campaigning for office was extremely gruelling, as candidates were often the targets of scurrilous attacks. Many women preferred to avoid that. Although women were not party leaders, they were very active and efficient workers in the three political parties in Barbados.

84. Perhaps statistics would not fully reflect the real situation in Barbados concerning households headed by women, including families resulting from common law marriages, but a breakdown would be provided in future reports. Theoretically, it was possible for a man to have a legal wife and also be involved in an extramarital union, but it would be difficult to do so discreetly in such a small country. Lastly, at one time, children born out of wedlock could only assume the mother's name, but changes in the law had made it possible for them to assume the father's name, too. Women often preferred to use their maiden names for professional purposes and their married names for social purposes.

85. The CHAIRPERSON expressed appreciation for the work done by Ms. Forde, the Committee member from Barbados, on the occasion of the presentation of her country's report.

The meeting rose at 5.55 p.m.